

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 13 be amended to read as follows:

- 1 Page 3, after line 10, begin a new paragraph and insert:
- 2 "SECTION 3. IC 12-14-1-1 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) Assistance under
- 4 AFDC shall be given to a dependent child who otherwise qualifies for
- 5 assistance if the child is living in a family home of a person who is:
- 6 (1) at least eighteen (18) years of age; and
- 7 (2) the child's relative, including:
- 8 (A) the child's mother, father, stepmother, stepfather,
- 9 grandmother, or grandfather; or
- 10 (B) a relative not listed in clause (A) who has custody of the
- 11 child under a court order.
- 12 (b) A parent or relative and a dependent child of the parent or
- 13 relative are not eligible for AFDC assistance when the physical custody
- 14 of the dependent child was obtained for the purpose of establishing
- 15 AFDC eligibility.
- 16 (c) A person convicted of an offense under IC 35-43-5-7 ~~or~~
- 17 ~~IC 35-48-4~~ is not eligible to receive assistance under AFDC for the
- 18 following periods:
- 19 (1) If the conviction is for a misdemeanor, the person is not
- 20 eligible to receive assistance under AFDC for one (1) year after
- 21 the conviction.
- 22 (2) If the conviction is for a felony, the person is not eligible to
- 23 receive assistance under AFDC for ten (10) years after the
- 24 conviction.
- 25 (d) The assistance paid to a dependent child under this section may

1 not be affected by the conviction of a parent or an essential person of
2 the dependent child under subsection (c).

3 SECTION 4. IC 12-14-28-3.5 IS ADDED TO THE INDIANA
4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2005]: **Sec. 3.5. (a) An individual who:**

6 **(1) is otherwise eligible to receive assistance under this**
7 **chapter;**

8 **(2) is convicted of an offense under federal or state law that:**

9 **(A) is classified as a felony; and**

10 **(B) has as an element the possession, use, or distribution of**
11 **a controlled substance (as defined in 21 U.S.C. 802(6)); and**

12 **(3) either:**

13 **(A) has completed; or**

14 **(B) is participating in;**

15 **substance abuse treatment provided by an addiction services**
16 **provider certified by the division of mental health and**
17 **addiction under IC 12-23 or by an addiction treatment**
18 **services program operated by the federal government;**

19 **is eligible to receive assistance under this chapter.**

20 **(b) A court may order an individual to participate in substance**
21 **abuse treatment under this section."**

(Reference is to ESB 13 as printed April 1, 2005.)

Representative Smith V